

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

_____)	
FITNESS RESOURCE ASSOCIATES, INC.)	
)	
Plaintiff,)	
v.)	Civil Action
)	No. 05-10003-RGS
AEROBICS AND FITNESS ASSOCIATION)	
OF AMERICA, INC.)	
)	
Defendant.)	
_____)	

**MOTION OF AEROBICS AND FITNESS ASSOCIATION OF AMERICA, INC. TO
AMEND SCHEDULING ORDER**

Aerobics and Fitness Association of America, Inc. ("AFAA") moves to amend the scheduling order by extending the deadline for fact discovery, and all deadlines subsequent thereto, by one hundred and twenty days. In support hereof, AFAA relies upon its Motion For A Protective Order Preventing Fitness Resource Associates, Inc. and The Husband Of Its President From Viewing AFAA's Trade Secrets And Confidential Information, which was filed with the Court on September 20, 2005. This motion describes the parties' disagreement over the terms of a protective order they have each proposed governing trade secret and confidential information. As a practical matter, the entry of a protective order should precede the exchange of document and other discovery in this matter, and the additional time requested for conducting discovery will allow the parties to adequately prepare the case for trial.

WHEREFORE, AFFA respectfully requests that the scheduling order be amended by extending the deadline for fact discovery, and all deadlines subsequent thereto, by one hundred and twenty days.

AEROBICS AND FITNESS ASSOCIATION OF
AMERICA, INC.

By its attorneys,

September 21, 2005

/s/ Edward V. Colbert III
Richard J. Grahm (BBO#206620)
Edward V. Colbert III (BBO #566187)
LOONEY & GROSSMAN LLP
101 Arch Street
Boston, MA 02110
(617) 951-2800

LOCAL RULE 7.1 CERTIFICATE

I, Edward V. Colbert III, hereby certify that I have conferred with opposing counsel in a good faith attempt to resolve or narrow this issue.

/s/ Edward V. Colbert III
Edward V. Colbert III

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing pleading upon all parties hereto by mailing copies thereof, via first class mail, postage prepaid, properly addressed to:

Gregg S. Blackburn, Esq.
Casner & Edwards LLP
303 Congress Street
Boston, MA 02210

/s/ Edward V. Colbert III
Edward V. Colbert III